

ATTACHMENT N

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* CERTIFIED BY THE SUPREME COURT OF NEW JERSEY
AS A CRIMINAL TRIAL ATTORNEY

August 8, 2014

FILE NO.:

Marcia M. Waldron, Clerk
United States Court of Appeals
21400 United States Courthouse
601 Market Street
Philadelphia, PA 19106-1790

Re: United States v. Daniel Jenkins
Case No. 14-1825

Dear Ms. Waldron:

I respond to the Court's Order to Show Cause, dated July 28, 2014, for delay in the prosecution of this appeal. Any delay in prosecuting this case has resulted from difficulties in communication.

Throughout my representation of Daniel Jenkins, he has been incarcerated, and as a result, I have conducted most of my communications with him by telephone through his brother, Dante. Since the entry of the Order, I have not succeeded in my efforts to contact Dante Jenkins. I have left him at least five detailed voice mail messages, advising him of the Order and my desire to discuss these matters and providing him with times that I would be available to speak with him. Each time, I have left him both my office and cell phone numbers, a period of time (ranging from a morning to a full day) and which number to call. Several times, he has left messages on my cell phone asking me to call, but he has not called my office.

In my last substantive discussion with him (after the Court denied my motion to withdraw), Dante Jenkins advised me that his brother did not want me to represent him on the appeal because his primary argument is that my representation at the District Court was constitutionally ineffective. He was quite emphatic on this point. He added that Daniel was sending a letter to the Court, reiterating this position.

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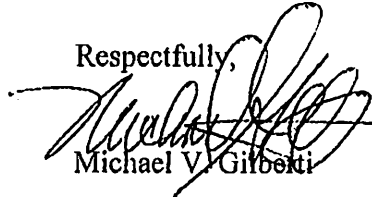
Page 2

He also told me that his family had purchased the transcripts.

I apologize to the Court and to the government for any delay and inconvenience. But it appears that Daniel Jenkins (through his brother) is sending the message that he really does not want me to represent him.

Thank you for your consideration. If you have any questions or need any additional information, please do not hesitate to contact me.

Respectfully,



Michael V. Gilberti

MVG:pe

cc: Glenn S. Moramarco, Esq. (AUSA)